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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/888,470
Filing Date: June 25, 2001
Appellant(s): GOPALAN, PRABHAKAR

Rudolf O. Siegesmund
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed September 5, 2008 appealing from the Office action mailed June 9, 2008.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

2001/0034725	Park et al.	10-2001
2001/0034720	Armes	10-2001
6,807,530	Shub et al	10-2004

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Park et al (USPAP 20010034725) in view of Armes et al (USPAP 20010034720).

Re claim 17: Park teaches a method of completing a financial transaction between a user having a payment account and a merchant having a merchant account, the method comprising:

- a) the user logging on to a centralized personal data base using a basic number and a primary number, wherein the basic number is accessible by the user but not by the merchant (sections 0022-0024, 0028, 0034);
 - b) the user creating an electronic wallet in the centralized personal data base by inputting a payment account number of the user's payment account to associate with the electronic wallet (section 0024);
 - c) responsive to the user creating the electronic wallet, the centralized personal data base generating a wallet number associated with the electronic wallet (section 0022-0023);
 - d) the user making a purchase from the merchant on a purchase date by sending the primary number and the wallet number to the merchant, wherein the purchase has a price (section 0035);
 - e) the merchant sending the primary number and the wallet number to the centralized personal data base (section 0036); and
 - f) the centralized personal data base determining whether the purchase is authorized by determining whether the purchase price exceeds the payment limit of the electronic wallet, wherein the purchase is authorized when the purchase price does not exceed the payment limit (section 0037)
 - g) responsive to determining that the purchase is authorized, the centralized personal data base debiting the user's payment account for the purchase price and crediting the merchant account (section 0037-0038)
- Park does not explicitly teach the user inputting payment limit of the electronic wallet, and an expiration date of the electronic wallet; and whether the purchase date is after the expiration date,

wherein the purchase is authorized when the purchase price does not exceed the payment limit and the purchase date is not after the expiration date.

Armes in the same field of art teaches the registering a cardholder to participate in a transaction system; generating a secondary transaction number (STN) and issuing this number to the cardholder, where the cardholder presents this number to a merchant to complete a sales transaction. The STN is generated by upon cardholder's request by the card provider and associates the STN with the holder's primary charge card account. The holder transmits the STN to the merchant and the merchant sends an authorization request to the provider using the STN (section 0014-0017, 0085). Armes further teaches that the STN may have limited-use (or conditions-of-use) parameters placed upon it by either the cardholder, merchant, or the card provider in order for the numbers to be restricted for particular uses. Alternatively, the cardholder is able to choose system default parameters of use. Parameters may include cardholder-determined expiration dates (i.e., STN will be generated with expiration dates that are associated but unrelated to the expiration date of the cardholder's PCC number, other than that it cannot exceed the expiration date of the PCC account) and limiting use of the STN to a specified dollar amount, dollar amount per transaction, total dollar amount for pre-designated number of transactions, maximum dollar amount per month, etc. (section 0056-0058; fig. 2; see also sections 0048, 0065-0068). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Park to include these features as taught by Armes for the obvious reason of providing restriction of the use of the wallet number thereby enhancing the security of the process.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over in view of Armes et al (USPAP 20010034720) in view of Shub et al (US 6807530).

Re claim 17: Armes teaches a method of completing a financial transaction between a user having a payment account and a merchant having a merchant account, the method comprising:

- a) the user logging on to a centralized personal data base using a basic number and a primary number, wherein the basic number is accessible by the user but not by the merchant (sections 0063-0065);
- b) the user creating an electronic wallet in the centralized personal data base by inputting a payment account number of the user's payment account to associate with the electronic wallet, payment limit of the electronic wallet, and an expiration date of the electronic wallet (sections 0056, 0066);
- c) responsive to the user creating the electronic wallet, the centralized personal data base generating a wallet number associated with the electronic wallet (section 0014-0015);
- d) the user making a purchase from the merchant on a purchase date by sending the wallet number to the merchant, wherein the purchase has a price (section 0070);
- e) the merchant sending the wallet number to the centralized personal data base (section 0085);
- and
- f) the centralized personal data base determining whether the purchase is authorized by determining whether the purchase price exceeds the payment limit of the electronic wallet, wherein the purchase is authorized when the purchase price does not exceed the payment limit (section 0056, 0085-0086)

g) responsive to determining that the purchase is authorized, the centralized personal data base debiting the user's payment account for the purchase price and crediting the merchant account (section 0091, 0095).

Armes does not explicitly teach the use of primary number in addition to the wallet number as recited in steps (d) and (e) of the claim. However, Shub teaches a payment verification system that verifies payment to merchants for goods ordered by a customer. The verification comprises of issuing to a customer by a payment server, control numbers including a customer number and a transaction private number. The customer provides these numbers and the identity of the payment server to the merchant such that the merchant confirms the transaction using the said customer number and transaction private number (see at least col. 8, lines 31-48; col. 10, lines 42-60). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Armes to include a customer number with the wallet number for financial processing as taught by Shub. One would have been motivated to do so in order to make the transaction more secure and provide customer anonymity.

(10) Response to Argument

The Examiner summarizes the various points raised by the Appellant and addresses them individually.

A. Rejection of claim 17 under 35 U.S.C. § 103(a) as being unpatentable over Park in view of Armes.

1. Regarding independent claim 17, Appellant asserts that Park fails to teach “responsive to the user creating the electronic wallet, the centralized personal data base generating a wallet

number associated with the electronic wallet". Specifically, Appellant asserts that Park is silent to a wallet number (see Appeal Brief, pages 9-10). Examiner respectfully disagrees. Park at paragraph [0022] recites,

"Then, the client who has completed the registration procedure (to be referred to as "registered client" hereinafter) selects the web page for card application, as shown in FIG. 3, among web pages provided by the electronic payment web server 20, to then request the issuance of a representative payment means (referred to as "All@card" in the drawing) (step a2). In a first embodiment of the present invention, any type of payment means that has an anonymous property and is rechargeable, can be used as the representative payment means. However, it is assumed that a prepaid card is used as the representative payment means throughout the description below. If the registered client selects and enters the Card name and security number for identifying the client's own prepaid card through the web browser of the client terminal 10, the electronic payment web server 20 transfers the entered information for card application to the payment gateway server 30. Then, the payment gateway server 30 fetches the basic information and member information stored in the database 31 to create the information for application for card use along with the information for card application. **Next, the payment gateway server 30 accesses a financial system 40 of its affiliated financial company to transfer the information for application for card use (step a3) and gains the financial company's approval for card use and is provided with the identification number (card number) of the representative payment means from the financial system 40 (step a4).** Then, the electronic payment web server 20 issues the prepaid card based on the card number to the registered client (step a5). In step a4, the payment gateway server 30 creates an electronic wallet corresponding to the member

ID and having the approved card number included therein and stores it in the database 31. The electronic payment web server 20 preferably transfers the identification number (card number) of the newly issued representative payment means to the client by e-mail". (Emphasis added).

See also Fig. 1, element a4.

The identification number or card number of the representative payment means that is provided in response to the creation of the electronic wallet is equivalent to the wallet number.

Furthermore, Appellant asserts that Armes does not teach "wallet number". Examiner respectfully disagrees. Armes at paragraph [0013] explicitly teaches that a cardholder is provided with a secondary transaction number that is associated with a cardholder's primary account. This transaction number is an equivalent to "wallet number".

For these reasons, Appellant's argument is not persuasive. Therefore claim 17 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Park in view of Armes

B. Rejection of claim 17 under 35 U.S.C. § 103(a) as being unpatentable over Armes in view of Shub.

Regarding claim 17, Appellant argument is regarding the Armes reference is as discussed above. Furthermore, Appellant asserts that the combination of Shub and Armes would render the Shub reference unsuitable for the intended purpose. Examiner respectfully disagrees. Shub is cited for teaching the concept of providing disparate numbers to a merchant such that the merchant

confirms the transaction using said disparate number (see col. 8, lines 31-48; col. 10, lines 42-60).

For these reasons, Appellant's argument is not persuasive. Therefore claim 17 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Armes in view of Shub.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,
Olabode Akintola
29 September 2008

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